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BEFORE THE BOARD OF MEDICAL EXAMINERS
IN THE STATE OF ARIZONA

In the Matter of

ISMAR CINTORA, M.D.

Holder of License No. 10195
For the Practice of Medicine
In the State of Arizona.

Case No. MD-00-0628

**CONSENT AGREEMENT FOR
PROBATION**

CONSENT AGREEMENT

By mutual agreement and understanding, between the Arizona Board of Medical
Examiners ("Board") and Ismar Cintora, M.D. ("Respondent"), the parties agreed to the
following disposition of this matter at the Board's public meeting on October 10, 2001.

1. Respondent acknowledges that he has read and understands this Consent
Agreement and the stipulated Findings of Fact, Conclusions of Law and Order.
Respondent acknowledges that he understands he has the right to consult with legal
counsel regarding this matter and has done so or chooses not to do so.

2. Respondent understands that by entering into this Consent Agreement for
the issuance of the foregoing Order, he voluntarily relinquishes any rights to a hearing or
judicial review in state or federal court on the matters alleged, or to challenge this Consent
Agreement and the Order in its entirety as issued by the Board, and waives any other
cause of action related thereto or arising from said Order.

3. Respondent acknowledges and understands that this Consent Agreement
and the Order will not become effective until approved by the Board and signed by its
Executive Director.

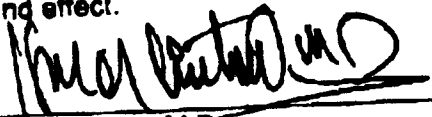
4. All admissions made by Respondent are solely for final disposition of this
matter and any subsequent related administrative proceedings or civil litigation involving

1 the Board and Respondent. Therefore, said admissions by Respondent are not intended
2 or made for any other use, such as in the context of another state or federal government
3 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
4 any other state or federal court.


5 5. Respondent acknowledges and agrees that, although the Consent
6 Agreement has not yet been accepted by the Board and issued by the Executive Director,
7 upon signing this agreement, and returning this document (or a copy thereof) to the
8 Board's Executive Director, Respondent may not revoke his acceptance of the Consent
9 Agreement and Order. Respondent may not make any modifications to the document.
10 Any modifications to this original document are ineffective and void unless mutually
11 approved by the parties.

12 6. Respondent further understands that this Consent Agreement and Order,
13 once approved and signed, shall constitute a public record document that may be publicly
14 disseminated as a formal action of the Board.

15 7. If any part of the Consent Agreement and Order is later declared void or
16 otherwise unenforceable, the remainder of the Order in its entirety shall remain in force
17 and effect.

18 
19 Ismar Cintora, M.D.

Reviewed and accepted this _____
day of Oct 1, 2001.

20 
21 Peter Wittkind, Attorney at Law
22 (Counsel for Dr. Ismar Cintora)

Reviewed and approved as to
form this 9th day of October, 2001.

FINDINGS OF FACT

1
2 1. The Board is the duly constituted authority for the regulation and control of
3 the practice of allopathic medicine in the State of Arizona.

4 2. Respondent is the holder of license number 10195 for the practice of
5 allopathic medicine in the State of Arizona.

6 3. The Board initiated case number MD-00-0628 upon receiving notification of a
7 malpractice settlement.

8 4. In 1994, Respondent began treating patient J.B., a fifty-two year old male
9 with a significant history of extensive vascular disease. In 1995, Respondent performed
10 an aortobifemoral graft to repair an abdominal aortic aneurysm and common iliac and
11 femoral aneurysms.

12 5. At 9:30 am on July 9, 1997, patient J.B. phoned Respondent's office
13 complaining of acute right leg pain. Respondent's office advised patient J.B. to go to the
14 Emergency Room. Timothy King, M.D. ("Dr. King") evaluated patient J.B. and assessed
15 an acute onset of right lower leg pain. After consulting Respondent, Dr. King admitted
16 patient J.B. to have an angiogram, which indicated a complete occlusion of the popliteal
17 artery. Respondent advised that an urgent popliteal-distal posterior tibial artery bypass
18 should be performed. Subsequently, Respondent performed a right exclusion of the
19 popliteal aneurysm and femoral tibial bypass without incident.

20 6. As the night progressed, patient J.B. complained of increased pain. Patient
21 J. B.'s calf became firmer, increased in circumference, and was exquisitely tender to ankle
22 dorsiflexion. These symptoms indicated significant compartment syndrome. At 5:00 am
23 on July 10, 1997, Respondent was notified of patient J.B.'s condition. Respondent
24 recommended the administration of Heparin and elevation of the lower right extremity.
25

1 9. At approximately 7:00 a.m. Respondent examined patient J.B. and noted
2 that the primary concerns were potential compartment syndrome or deep venous
3 thrombosis. At 7:30 am, a resident informed Respondent that the anterior compartment
4 appeared tense and the pressure was at least 35-40 mm of Hg. Despite these findings,
5 Respondent did not request orthopedic surgical consult until 3:00 pm on July 10, 1997.

6 10. Despite continued care for the leg, on July 23, 1997, patient J.B.'s leg was
7 amputated.

8 11. William J. Kennell, M.D., Board Medical Consultant, reviewed the file and
9 concluded that Respondent's failure to obtain the surgical consult within an hour of the
10 elevated compartment pressures falls below the standard of care.

11 **CONCLUSIONS OF LAW**

12 1. The Board possesses jurisdiction over the subject matter hereof and over
13 Respondent.

14 2. The conduct and circumstances described above in paragraphs 3 to 11
15 constitute unprofessional conduct pursuant to A.R.S. § 32-1401(25)(q)("[a]ny conduct or
16 practice which is or might be harmful or dangerous to the health of the patient or the
17 public.)

18 3. The conduct and circumstances described above in paragraphs 3 to 11
19 constitute unprofessional conduct pursuant to A.R.S. § 32-1401(25)(l)("[c]onduct that the
20 board determines is gross negligence, repeated negligence or negligence resulting in
21 harm to or the death of a patient.")

ORDER

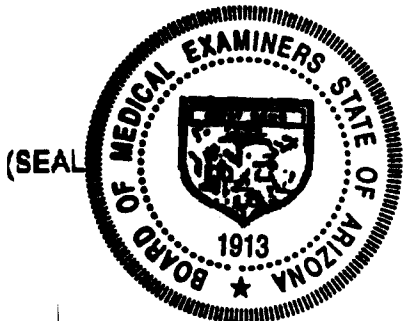
IT IS HEREBY ORDERED THAT:

1. Respondent is placed on probation for 1 year and shall, within 1 year of the effective date of this Order, obtain 20 hours of Board staff pre-approved Continuing Medical Education (CME) Category I in treatment of compartment syndrome, which could include surgical vascular repair and hyperbaric oxygen therapy, and provide Board staff with satisfactory proof of attendance. The CME hours shall be in addition to the hours required for the biennial renewal of medical license.

2. The Board retains jurisdiction and may initiate new action based upon any violation of this order.

3. This Order is the final disposition of case number MD-00-0628.

DATED AND EFFECTIVE this 12th day of October, 2001.



BOARD OF MEDICAL EXAMINERS
OF THE STATE OF ARIZONA

By

Claudia Foutz

CLAUDIA FOUTZ
Executive Director
TOM ADAMS
Deputy Director

ORIGINAL of the foregoing filed this
12 day of October, 2001 with:

The Arizona Board of Medical Examiners
9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258

1 EXECUTED COPY of the foregoing mailed by
2 Certified Mail this 12 day of October, 2001 to:

3 Peter Wittekind
4 Kent & Wittekind
5 40 N. Central Ave., Ste. 1400
6 Phoenix, AZ 85004-4468

7 EXECUTED COPY of the foregoing mailed by
8 this 12 day of October, 2001 to:

9 Ismar Cintora, M.D.
10 2801 N. 3rd St., Ste. 203
11 Phoenix, AZ 85004-1145

12 EXECUTED COPY of the foregoing
13 hand-delivered this 12 day of
14 October, 2001, to:

15 Christine Cassetta, Assistant Attorney General
16 Sandra Walt, Management Analyst
17 Lynda Mottram, Compliance Officer
18 Lisa Maxie-Mullins, Legal Coordinator (Investigation File)
19 c/o Arizona Board of Medical Examiners
20 9545 E. Doubletree Ranch Road
21 Scottsdale, AZ 85258

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